

SCHEDULE 4

CONTROL AND ERADICATION OF TSE IN SHEEP AND GOATS

Confirmation of atypical scrapie in sheep or goats

9.—(1) This paragraph applies if the TSE confirmed in a suspected sheep or goat, or a body of a sheep or goat monitored under Annex III of the Community TSE Regulation is atypical scrapie, and BSE is excluded in accordance with the procedure set out in Annex X, Chapter C, point 3(2) (c) of that Regulation.

(2) The Department may decide not to apply paragraph 6 in respect of sheep, or paragraph 7 in respect of goats.

(3) If the Department decides not to apply either paragraphs 6 or 7, it must instead of complying with the requirements in those paragraphs—

- (a) carry out the inquiry specified in Article 13(1)(b) of the Community TSE Regulation and in point 1(b) of Annex VII of that Regulation; and
- (b) decide which of the options set out in points 5(a) and 5(b) of Annex VII of that Regulation it intends to exercise.

(4) The Department must then serve a notice on the occupier of the premises informing them which of the options in those points it intends to exercise.

(5) If the Department chooses the option set out in point 5(a) of Annex VII of the Community TSE Regulation, the notice must specify—

- (a) the identity of the animals (if any) to be killed and destroyed;
- (b) the identity of any ovum or embryo (if any) to be destroyed; and
- (c) the time limit for complying with the notice.

(6) If the Department chooses the option set out in point 5(b) of Annex VII of the Community TSE Regulation, for two breeding years following the detection of the last TSE case, the occupier—

- (a) must identify all sheep and goats on the premises; and
- (b) must subject the premises to the intensified TSE monitoring set out in point 5(b)(ii) of that Annex,

and failure to comply with this sub-paragraph is an offence.

(7) A person may not dispatch any live ovine or caprine animals identified under sub-paragraph (6)(a) or embryos or ova from such animals to a member State or third country, and failure to comply with this sub-paragraph is an offence.

(8) The appeals procedure in regulation 10 applies in relation to any decision under this paragraph.